IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.T.SANKARAN

FRIDAY, THE 24TH NOVEMBER 2006 / 3RD AGRAHAYANA 1928

Crl.Rev.Pet.No. 4150 of 2006()

CRA.149/2005 of ADDL.SESSIONS COURT,-I, MAVELIKKARA
CC.657/2003 of JUDL.MAGISTRATE OF FIRST CLASS-I, CHENGANNUR

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REVN. PETITIONER/APPELLANT/ACCUSED::

C. SELVARAJ, THEKKINETHU VEEDU,
HOUSE NO. 174(1)12, NEAR SASTHAMKULANGARA,
NARASIMHASWAMI TEMPLE, KEEZHCHERIMEL,
CHENGANNUR.

BY ADV. SRI.S.HARIKRISHNAN

RESPONDENTS/RESPONDENTS/COMPLAINANT & STATE.:

1. A.V. GOPINATHAN, ALAMPALLIL VEEDU,
THITTAMEL, CHENGANNUR.

2. STATE OF KERALA, REPRESENTED BY THE
PUBLIC PROSECUTOR , HIGH COURT OF KERALA,
ERNAKULAM.

R1 BY ADV. SRI.N.ASHOK KUMAR
ADV. SMT.MARIAMMA KOSHY
R2 BY PUBLIC PROSECUTOR ADV. SHRI KAMMAPPU.

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 24/11/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.T. SANKARAN, J.

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CRL. R.P. 4150 of 2006

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Dated this the 24th November , 2006

O R D E R

The petitioner was convicted for the offence under section 138 of the Negotiable Instruments Act and he was sentenced to undergo simple imprisonment for a period of two months and to pay compensation of Rs. 40,000/- to the complainant under section 357(3) of the Code of Criminal Procedure and in default, to undergo simple imprisonment for a further period of one month.. On appeal by the petitioner, the appellate court allowed the appeal in part. While confirming the conviction, the appellate court sentenced the petitioner to undergo imprisonment till the rising of the court and also to pay a sum of Rs. 40,000/- as compensation to the complainant and in default, to undergo simple imprisonment for three months. It is submitted that the petitioner is now undergoing imprisonment from 01.11.2006.

2. Learned counsel for the petitioner as well as the learned counsel appearing for the first respondent/complainant submitted that the revision petition can be disposed of granting two months' time to the petitioner to pay the amount of compensation. The submission made by the counsel is accepted.

3. In the result, the Crl. Revision Petition is disposed of confirming the conviction and sentence . However, the petitioner is granted two months' time to pay the amount of compensation. The petitioner shall be released forthwith from the jail, if he is not otherwise required in connection with any other case.

Crl. Revision Petition is disposed of as above.

K.T. SANKARAN,
JUDGE.

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